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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/763,216	02/20/2001	Mark Brian Anderson	0121-0005	3417

7590

10/03/2003

Shanks & Herbert
TransPotomac Plaza
1033 North Fairfax Street Suite 306
Alexandria, VA 22314

EXAMINER

LIU, HONG

ART UNIT

PAPER NUMBER

1624

DATE MAILED: 10/03/2003



Please find below and/or attached an Office communication concerning this application or proceeding.

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TECH CENTER 1600/2900

Notice of Abandonment

OCT 24 2003

Application No.

9/163216

Applicant

Anderson

Examiner

Liu

Art Unit

1626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

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This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 2/5/03.
 - (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113(a) to the final rejection.
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) ☒ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) ☐ The submitted issue fee of \$ _____ is insufficient. A balance of \$ _____ is due.
The issue fee required by 37 CFR 1.18 is \$ _____. The publication fee, if required by 37 CFR 1.18(d) is \$ _____.
 - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) ☐ Proposed new formal drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interferences rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☒ The reason(s) below: pgs 160-433 are too small to read

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

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#17

Certificate of Mailing:

The undersigned certifies that this correspondence is being deposited this 4th day of March, 2003, as first-class mail, postage prepaid, addressed to Commissioner For Patents, Washington DC 20231.

Keith D. Hutchinson
Keith D. Hutchinson



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re U.S. Patent Application of:)	
Anderson, et al.)	
)	Examiner: Hong Lui
Serial No.: 09/763,216)	
)	Group Art Unit: 1624
Filed: February 20, 2001)	
)	
For: NON-PEPTIDE GnRH AGENTS,)	Docket No.: 0059-01-US
METHODS, AND INTERMEDIATES)	
FOR THEIR PREPARATION)	

**RESPONSE TO NOTICE TO FILE CORRECTED APPLICATION PAPERS AND
PETITION FOR WITHDRAWAL FROM ALLOWANCE**

Commissioner For Patents
Washington, DC 20231

Sir:

This is a response to the Notice to File Corrected Application Papers mailed on February 5, 2003. Applicant hereby petitions under 37 CFR §1.313(c) to withdraw the application from issue and requests continued examination under 37 CFR §1.114.

Applicant is experiencing technical difficulties in re-constructing the subject application as originally filed by outside counsel. Applicant is thus unable to comply with the Notice to File Corrected Application Papers dated February 5, 2003.

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If any fee is required for the filing of this response, please charge all such required fees to
Deposit Account No. 500329.

Respectfully submitted,

Date: March 4, 2003

0059-01 US

Keith D. Hutchinson
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Filed in the U.S. Patent and Trademark Office

USSN: 09/763,216

Attorney Docket No.: 0059-01-US

Inventors: Anderson, et al.

Title: Non-Peptide GnRH Agents, Methods And Intermediates For Their Preparation

Please date stamp and return this postage-prepaid card to applicant to show receipt of the following enclosures:

- Response to Notice to File Corrected Application Papers
And Petition For Withdrawal From Allowance 2 pages
- Request for Continued Examination 1 page

Date: February 13, 2003

Keith D. Hutchinson

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Filed in the U.S. Patent and Trademark Office

USSN: 09/763,216

Attorney Docket No.: 0059-01-US

Inventors: Anderson, et al.

Title: Non-Peptide GnRH Agents, Methods And Intermediates For Their Preparation

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Date: February 13, 2003

Keith D. Hutchinson

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